



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

October 22, 2020

Georgii Shpak
7233 Kelvin Avenue, #105
Winnetka, CA 91306

**RE: 345 NORTH CEDAR STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE2009898**
(see Conditional Use Permit Case No. PCUP2009899)

Dear Mr. Shpak:

On October 21, 2020, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.42, a Conditional Use Permit to continue the operation/expansion of an existing 2,428 square-foot private school (Next Generation Montessori School) with a 609 square-foot addition (conversion of 292 square-foot, outdoor covered area into a classroom; construction of a one-story, 317 square-foot classroom addition) for increased capacity of 15 additional students, in conjunction with the subject Administrative Exception to allow the subject private school a one parking space reduction from the required amount of off-street parking spaces [seven (7) required; six (6) proposed], on an approximately 9,094 square-foot lot. The subject property is located at **345 North Cedar Street**, in the "R-1650" (Medium-High Density Residential) Zone, and is described as Lot 12 and Portion of Lot 13, M.B. 8 – 173, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- 1) Approval of an Administrative Exception Permit is required for a maximum 20 percent deviation from one or more numeric standards (GMC 30.44.020. A).

APPLICANT'S PROPOSAL

- 1) To allow a 14% deviation from required parking spaces by providing only six of the required parking spaces where seven parking spaces are required.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 "Existing Structure," per Section 15301(e)(1) of the State CEQA Guidelines because the discretionary permit requests are to allow the addition of an indoor classroom area to an existing private school and continue the operations of an existing private school without providing additional required parking spaces.

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED**, with conditions, the Administrative Exception based on the following findings:

REQUIRED/MANDATED FINDINGS

A. The granting of the exception will result in design improvements, or there are space restrictions on the site which preclude full compliance with code requirements without hardship.

The subject property is an approximately 9,094 square-foot lot, located at the south west corner of North Cedar Street and East Lexington Drive. The project site is developed with an existing, two-story, 2,428 square-foot, private school with an attached covered 292 square-foot outdoor play area, an attached carport and a detached four-car garage. The applicant proposes to expand the subject private school by converting the 292 square-foot covered outdoor play area into floor area and constructing a one-story 317 square-foot addition to the existing building, which results in 609 square feet of additional classroom floor area. The Zoning Code requires three (3) parking spaces for every 1,000 square-feet for a private school (private pre-school) use. Given the proposed floor area addition is 609 square-feet, an additional two parking spaces are required. A total of five existing parking spaces (four parking spaces within the existing detached garage; one ADA space underneath the existing carport) are currently provided on site to service the private school use, in addition to the three designated drop-off and pick up spaces located on North Cedar Street. The applicant proposes to modify the existing carport to accommodate one additional parking space. This modification will result in a total of six parking spaces (four parking spaces within the existing detached garage; two parking spaces underneath the existing carport) for the private school use. Since the project lacks one parking space as proposed, the applicant is requesting a 14% deviation from the required seven parking spaces.

There are space restrictions on the site, which preclude full compliance with code requirements without hardship. The subject lot is irregular in shape and has been fully developed with a private school and associated accessory building and detached, four-car parking garage since 1996. The remaining portion of the lot is limited to landscaped area along the setback areas (street front and interior) and the hardscaped parking lot that also doubles in function as play area for the students. The subject lot cannot be improved with any additional parking spaces without significantly modifying the existing building onsite, or without substantially reconfiguring the existing parking lot layout, affecting the existing vehicular ingress or egress pattern to the existing parking spaces. Alternatively, a new parking space may be provided by relocating the trash enclosure. However, this alternative would not only result in significant alterations to the site planning of the property but would also reduce existing landscaped area and prevent the applicant from providing the required five-foot landscaping strip between the facility's existing parking lot and the right-of-way along East Lexington Avenue and the required three-foot landscaping buffer between the parking lot and the western property line. This alternative would cause the proposed project to deviate further from Code

requirements and cause even greater hardship for the applicant. Therefore, there are space restrictions on the site that preclude compliance with the Zoning Code without unnecessary hardship.

B. The granting of the exception, with any conditions imposed, will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The granting of the Administrative Exception will not be materially detrimental to the public welfare or injurious to the property or improvements. The subject property is currently developed with a private school building that is currently set back approximately 26 feet, 2 feet, 34 feet and 8 feet from the eastern (North Cedar Street), southern, western and northern (East Lexington Drive) property lines, respectively; the proposed addition will meet the R-1650 setback requirements. Currently, the existing covered outdoor play area has a nonconforming two-foot interior setback from the southern interior property line. This area, once converted into a classroom with an addition, is not anticipated to impact the adjacent neighbor because the outdoor play area will now be fully enclosed and mitigate noise more effectively than before. As part of the proposal, the existing ADA parking space underneath the carport will be reconfigured to accommodate an additional standard parking space, as well as a revised code-compliant ADA parking space with loading area and path of travel. This proposed modification will result in a total of six parking spaces (four parking spaces within the existing detached garage; two parking spaces underneath the existing carport) for the private school use.

The proposed project requests to provide six parking spaces out of the seven parking spaces required by Code. The project has been reviewed by the Fire Department, Police Department, Public Works Department, and the Divisions of Neighborhood Services, Building and Safety, and Planning within the Community Development Department to identify potential negative impacts of the project on the public health, safety, general welfare or environment. Comments received from the Public Works Traffic Engineering Section indicate that a detailed VMT (Vehicle Miles Traveled) analysis and a local transportation analysis will not be required, as the project is presumed to have a less-than significant VMT impact, along with the estimation that the private school will generate less than 50 net peak-hour trips. Due to the nature of the use, parking demand is not as high as other uses because students are generally dropped off and picked up in designated spots located on North Cedar Street. Overall, the exception to deviate by one parking space for the entire project is minimal and allows reasonable development of the property. By granting this Administrative Exception, the property and the neighborhood will continue to benefit in that the existing private school will be improved to accommodate additional children and provide an enhanced learning environment. The design, mass, and scale of the new building addition will require separate design review and approval.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

Approval of the Administrative Exception to allow a minor deviation from the minimum Code-required parking will not be contrary to the objectives of the parking standards regarding the minimum number of parking spaces required (GMC 30.32.050). The purpose of the Administrative Exception procedure is to provide a simplified means of considering applications for minor deviations from Zoning Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The property will provide both covered and enclosed on-site parking for the facility, with a requested deviation of only one space from the code requirement. The proposed addition complies with all other Code requirements of the R-1650 zones, such as setbacks, floor area ratio, lot coverage, height, and landscaping. Therefore, granting the exception to allow a 609 square-foot addition without providing the minimum required amount of parking spaces (six parking spaces proposed; seven parking spaces required) will not be contrary to the objectives of the applicable regulations.

CONDITIONS OF APPROVAL

APPROVAL of the Administrative Exception shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Planning Hearing Officer.
2. That all necessary licenses as required from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That access to the premises shall be made available upon request to all City of Glendale authorized staff (i.e. Community Development Department, Fire Department, Police Department, etc.) for the purpose of verifying compliance with all laws and the conditions of this approval.
4. That the applicant shall comply with all applicable conditions of the Conditional Use Permit No. PCUP2009899.

APPEAL PERIOD

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission, if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Appeals must be filed prior to expiration of the 15-day period, on or before **November 6, 2020**. Information regarding appeals, appeal forms and fees may be

obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8157.

APPEAL FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the NOVEMBER 6, 2020 deadline (mailed to Community Development Department – Planning Division, Attention Minjee Hahm, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Minjee Hahm at MHahm@glendaleca.gov) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact Minjee Hahm at 818-937-8178 to make arrangements with the cashier. *Note:* The standard 2.5% fee for **credit card payment** applies.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by an Administrative Exception shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

CESSATION

An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception for one year or more in the continuous exercise in good faith of such right and privilege.

EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the administrative exception.

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is

provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of an administrative exception at least ten (10) days' notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

You may contact the case planner, Minjee Hahm, during normal business hours at (818) 937-8178 or via e-mail at mhahm@glendaleca.gov.

Sincerely,
Philip Lanzafame
Director of Community Development



Vilia Zemaitaitis, AICP
Principal Planner

VZ:VZ:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(S.Demirjian/F.McLean); Public Works (E.Hitti)Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S.Boghosian/R.Takidin/C.Babakhanlou/D.Scorza/F.Garcia); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/S.Sardarian); Integrated Waste Management Admin. (D. Hardgrove/R.Torres/L.Klick); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Minjee Hahm.